

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

ESPERANZA DE LA CRUZ

DEBTOR

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CASE NO. 16-07979/MCF

CHAPTER 13

**MOTION FOR CONTINUATION OF THE AUTOMATIC STAY IN CASE  
FILED WITHIN ONE YEAR OF FILING**

**TO THE HONORABLE COURT:**

COMES NOW, **ESPERANZA DE LA CRUZ**, debtor in the above captioned case, through the undersigned attorney, and very respectfully states, alleges and prays as follow:

1. The debtor notified all creditors and parties in interest and hereby move this Court, pursuant to § 362 (c) (3) (B), for an Order continuing the automatic stay provided under § 362 (a) as to all creditors. In support of this motion, the debtor state as follow:
2. The debtor filed a petition under Chapter 13 on October 4, 2016 case number 16-07979/MCF.
3. The debtor filed a petition under Chapter 13 on April 24, 2014, case number 14-03228/MCF which was dismissed on June 9, 2016.
4. Debtor has special circumstances and changes that will allow her to complete her new Chapter 13 Plan.

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5. The petition in this case has been filed in good faith. The debtor believes that the Chapter 13 Plan she has submitted will be confirmed and that he will be able to fully perform under the terms of the Plan.
6. The debtor's prior chapter 13 case, dismissed on June 9, 2016 was the only previous case by the debtor that was pending during the preceding year.

**WHEREFORE**, the debtor respectfully requests that this Honorable Court continue the automatic stay under section 362 (a) as to all creditors for the duration of this chapter 13 proceeding, or until such time as the stay is terminated under section 362 (c) (1) or (c) (2), or a motion for relief is granted under section 362 (d).

#### **NOTICE**

**NOTICE:** Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise

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**I CERTIFY** that on this same date a copy of this motion was electronically filed using the CM/ECF system which will send notification of same to: the Chapter 13 Trustee Alejandro Oliveras Rivera, ESq.; US Trustee's Office, Monsita Lecaroz, Esq., Assistant US Trustee; and via regular mail to Esperanza De La Cruz, Borinquen Apartments, Apt C-116, Caguas PR 00726, debtor in the above captioned case; and to all creditors and interested parties appearing in the master address list, hereby attached.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico this 7<sup>th</sup> day of October, 2016.

/S/ROBERTO FIGUEROA-CARRASQUILLO  
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Label Matrix for local noticing  
0104-3  
Case 16-07979-MCF13  
District of Puerto Rico  
Old San Juan  
Fri Oct 7 14:23:37 AST 2016

US Bankruptcy Court District of P.R.  
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Mailable recipients 14  
Bypassed recipients 0  
Total 14